

Barred Researcher Publishes a Paper

A dispute has arisen over a paper by Marc Straus published 5 months after he was barred from receiving federal funds

Another dispute has arisen over the work of Marc J. Straus, the scientist who was barred last May from receiving federal research money after he admitted that data had been fabricated in a research project he headed. This time the controversy concerns the publication of a paper authored by Straus in the October issue of *Cancer Treatment Reports*, a journal funded by the National Cancer Institute (NCI).

The journal published the paper only after an independent review apparently confirmed the validity of the data it reported. But the journal's editorial board now believes that the review was not sufficiently rigorous, and it is planning to publish an extraordinary statement. It will warn readers that "initial doubts about the validity of some of the patient data have not been resolved. . . . [T]hese doubts will remain unresolved until there is acceptable independent validation of the raw patient data."

al step. It requested Straus, who was then on the faculty at New York Medical College at Valhalla, to have the raw patient data verified by an independent source. (In his paper, Straus described the effects of an experimental chemotherapy regimen to treat advanced prostate cancer, a protocol that had been tested by others.)

The raw data were not reviewed for reasons that are not clear. Straus asked another faculty member, Robert Madden, to examine the raw data. Madden, a professor of surgery, was then head of an ad hoc committee appointed by the medical college dean to evaluate Straus' protocols for certain experiments.

According to Madden, Straus did ask him to review the raw data but failed to inform him of the journal's specific instructions on this point. Straus insists that he did. In any event, Madden says that, according to his understanding, the journal simply wanted assurances that

chose Madden on his own. But this point of contention seems to fade in importance given Madden's position as chairman of the committee to monitor Straus.

NCI officials are frustrated over this latest episode with Straus. Although the journal is editorially independent, the cancer institute is sharing part of the blame with the board for the foul-up because of various ties it has with the journal. NCI is the sole financial source of the journal and eight of its researchers sit on the 13-member board. And when faced with Straus' paper, the board consulted with Bruce Chabner, director of the institute's division of cancer treatment, which funds the journal. Chabner said that the journal adopted a "reasonable policy [to verify Straus' data] but it had a gap in it. I'm sorry the error happened."

NCI also got pie on its face because it learned of the problem through Representative L. H. Fountain (D-N.C.), chairman of the subcommittee on intergovernmental relations of the Government Operations Committee. Straus, now in private practice in White Plains, New York, charges that NCI and the board "have knuckled under to political pressures" as a result of Fountain's criticism.

It was just a year and a half ago that another legislator, Senator Orrin Hatch (R-Utah), assailed NCI director Vincent DeVita for management problems. In particular, Hatch criticized DeVita for continuing to fund Straus despite the allegations involving fudged data.

Fountain wrote a letter to DeVita, admonishing the lax monitoring of Straus' data and expressing concern about patient protection. Physicians, after reading Straus' work, he said, might unwittingly treat their patients with an unproven protocol. The journal's proposed warning was not strong enough, Fountain remarked. But Chabner said that the protocol was fairly common as an experimental therapy and would not cause undue toxicity as anticancer drugs go.

DeVita wrote to Fountain, vowing that the institute "will see that a situation such as this one never occurs again." Perhaps. The journal board has requested yet again that Straus himself arrange to have his data verified.—MARJORIE SUN

The editorial board is publishing a statement raising doubts about the data, a move Straus calls "totally improper."

NCI officials say that one issue that needs to be cleared up is whether the paper included data from the research project that led to the federal sanctions against Straus. Straus insists that his report was based on a completely separate study. He said in an interview that the journal's actions against him were "totally improper and inappropriate."

Straus was barred last spring from receiving any research funds from the Department of Health and Human Services until 1986. He signed an agreement with federal authorities, conceding that he was responsible for research performed at Boston University that contained fabricated data. But he maintains that he took no part in the falsification and was framed by co-workers.

The heart of the current dispute concerns the journal's procedures to verify Straus' data and Straus' alleged failure to comply. Because Straus was under investigation at the time he submitted his manuscript to *Cancer Treatment Reports*, the editorial board took an unusu-

Straus' tabulations of the raw data corresponded to the information in the manuscript. Pressed for time in other matters and apparently unaware of the journal's specific demands, Madden chose to examine only one out of the 22 original patient charts. The chart data matched the information in the tabulations, Madden said in an interview. Satisfied that Straus' work was legitimate, Madden wrote a letter to the board, vouching for Straus' data and the journal went on to publish the paper.

Editorial board chairman John S. MacDonald concedes that the board failed to double-check whether Straus had complied with its instructions. "That's the slip up," said MacDonald, who was the NCI associate director for cancer therapy evaluation when Straus' paper was under consideration and is now in private practice.

The editorial board is also upset that Straus did not ask the dean himself to appoint an independent reviewer as it originally requested. Instead, Straus